IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 25837 of 1995

Between:

1 Mahendrapal singh S/o Surender singh
Hyderabad
2 Smt.Bhagwat Kour W/o. Surender singh
Hyderabad
3 Smt. Manpreet kour W/o. Mahendrapal singh
Hyderabad
4 V.Gopal S/o. Bakkaiah
Hyderabad

..... PETITIONER(S)

AND

1 The Govt of A.P. Rep by its Principal secretary transport

R&B(Tr-ii)Dept
Secretariat. Hyderabad
2 The Secretary , Regional Transport Authority, Central Zone
Hyderabad
3 The Secretary , Regional Transport Authority, East Zone
Hyderabad
4 The Transport Commissioner of A.P
Gruhakalpa Hyderabad

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction especially one in the nature of writ of mandamus declaring that the G.O.Ms.No. 54 Transport R.B(Tr-ii) Dept.dt. 31.3.95 in so far as it relates to the charging Sec.194(1) in the schedule to the G.O. empowering the officials to collect the compounding fee from the petitioners as illegal arbitrary and discriminatory and is therefore violative of articles 14 and 16 of the constitution of India and to pass such further orders as this Hon’ble Court may

deem it fit and proper.

Counsel for the Petitioner: MR.C.H.RAVI

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court made the following :

ORDER:

G.O.Ms.No.54 dated 31-3-1995 issued by the 1st respondent empowering the respondents 2 and 3 to collect compounding fee under the provisions of the Motor Vehicles Act, 1988 is challenged in this writ petition.

When the matter came up today for hearing, none appears for the petitioners.

However, it is represented by the learned Government Pleader for Transport that in view of the G.O.Ms.No.69 dated 16-5-2001 issued by the Government, no cause of action survives in the present writ petition. Therefore, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J

Date: 14-09-2004

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To

1. Principal Secretary, Govt. of Andhra Pradesh,

Transport, R&B(Tr-ii)Dept
Secretariat. Hyderabad

2 The Secretary , Regional Transport Authority, Central Zone Hyderabad

3 The Secretary , Regional Transport Authority, East Zone Hyderabad

4 The Transport Commissioner of A.P Gruhakalpa Hyderabad

5. Two C.Cs. to G.P. for Transport

6. Two C.D. copies